Alberta
ENVIRONMENT

ENFORCEMENT OF THE

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

And

WATER ACT

1 October 2003 - 31 December 2003

January 2004
Regional Services
Alberta Environment

Alberta
ENVIRONMENT

Enforcement Actions

1 October 2003 - 31 December 2003

Administrative Penalties

Company/Individual	Municipality/ LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Canadian Forest Products Ltd.	Grande Prairie W-23-71-6-6	23-Oct-03 Assessed: $1,500.00	AEPEA(R) 227(e)	The Company operates the Grande Prairie Sawmill for the processing of wood pursuant to an Approval. It contravened its Approval by submitting the 2002 Annual Summary and Evaluation report late. Penalty paid 14 November 2003.
Lehigh Inland Cement Limited	Edmonton 15-53-25-4	01-Dec-03 Assessed: $4,500.00	AEPEA(R) 227(e)	The Company operates the Edmonton cement manufacturing plant pursuant to an Approval. It contravened its Approval when it discharged dust, as an effluent stream from the Homogenizing Silo #2, being an emission source not approved for effluent streams and it discharged dust, as an emission stream from the Kiln Feed Silo #1, being an emission source not approved for effluent streams. Penalty paid 22 December 2003.
Shiningbank Energy Ltd.	Drayton Valley 11-31-49-5-5	18-Dec-03 Assessed: $4,500.00	AEPEA(R) 227(e)	The Company operates the Berrymoor (Pembina) sour gas plant pursuant to an Approval. It contravened its Approval by submitting the 2002 Annual Industrial Wastewater and Runoff report late; submitting the 2002 Annual Air Emissions Summary and Evaluation report late; and submitting the May 2003 Monthly Air Emissions Summary report late. Penalty paid 12 January 2004.

104-03529/

Enforcement Orders

Company/Individual	Municipality/ LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Bremont, Marc	MD of Smoky River NW-27-79-21-5	01-Dec-03	WA 36(1)	Marc and Roch Bremont are the registered owners of this land. In 1963, requests were made to the then Water Resources Division for permission to dig a Ditch to drain a quarter of the land, and the request was denied. However in 1967, an aerial photograph is the first evidence of the Ditch having been constructed on the quarter. Since construction, the Ditch has been maintained and operated to drain water from a portion of the quarter of land. Since the mid 1980's, Alberta Environment has expressed its concerns to the parties regarding the Ditch and its impacts on Lac Magloire, and requests have been made to the parties to close off the Ditch. In the fall of 1995, the Ditch was inspected and it was observed that the Ditch had been widened and deepened without authorization. It was requested that the parties block off the Ditch to minimize the further drainage of Lac Magloire, and the parties agreed to install a ditch plug to render the Ditch ineffective as a short-term measure with consideration being given to a longer term solution. In 2000, the parties were advised that the Ditch was contributing to the draining of the lake and that they must either render the Ditch ineffective, since it was not an authorized structure, or they could submit an application for an approval for a ditch that would drain low-lying areas of the quarter section. The parties submitted an application to approve the ditch plug that they had constructed, but Alberta Environment refused the application for the approval as incomplete. The parties shall immediately cease any use, operation or maintenance of the Ditch; render the Ditch ineffective by filling in the Ditch to the surrounding grade of the lands; submit and implement a plan detailing how they will accomplish the rendering of the ineffectiveness of the Ditch; and submit a final written report confirming the work that was undertaken to comply with this Order. Notice of Appeal received at the Alberta Environmental Appeal Board by fax 8 December 2003.
Bremont, Roch	MD of Smoky River NW-27-79-21-5	01-Dec-03	WA 36(1)	SEE DETAILS "Bremont, Marc"

Enforcement Actions

1 October 2003 - 31 December 2003

Enforcement Orders for Waste

Company/Individual	Municipality/ LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Bosch, Gary	Edson 5-53-19-5	20-Oct-03	AEPEA(R) 179(1)	Mr. Bosch is to pick up and remove all waste unlawfully disposed of and dispose of waste at an approved waste management facility. Order complied with and file closed.

Prosecutions

Company/Individual	Municipality/ LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Danadam Consulting Incorporated	Edmonton	26-Nov-03	AEPEA(R) A/R 192/96 18(1)(c)	Count 2: Co-accused "W W. Enterprises Ltd., Hyun Won and Colin C. Mowat" On or about the 15th day of May, 2002 at or near the City of Edmonton, in the Province of Alberta, did fail to store a hazardous recyclable in an amount and in a manner so that at least secondary containment is provided for liquid hazardous recyclables, and there are no openings in the secondary containment system that provide a direct connection to the area surrounding the system, contrary to Section 18(1)(c) of the Waste Control Regulation, A.R. 192/96. The Company pled guilty 26 November 2003, and was ordered to publish an account of the circumstances of the offence in the Edmonton Examiner. In addition, the company's president, Colin Mowat, will perform 200 hours of community service.
Blain's Agri Services Ltd.	Westlock NE-11-61-26-4	27-Nov-03 Penalty: $1,000.00	AEPEA(R) 227(c)	Count 3: Co-accused "Blain, Allen" On or between the 8th day of October, A.D. 2002 and the 1st day of March A.D. 2003 both dates inclusive, at or near Edmonton, in the Province of Alberta did unlawfully fail to provide information as required under this Act to wit: section 13 of Alberta Regulation 43/97, contrary to section 227(c) of the Environmental Protection and Enhancement Act. The Company pled guilty 20 November 2003 and was sentenced to a fine of $1,000 on 27 November 2003. Notice of Appeal filed by the Crown on 17 December 2003.

Alberta
ENVIRONMENT

Enforcement Actions

1 October 2003 - 31 December 2003

Tickets

Company/Individual	Municipality/ LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
309988 Alberta Ltd.	Spruce Grove	20-Oct-03 Penalty: $115.00	AEPEA(R) 61	Burning prohibited debris, plastic and aerosol cans, in an open fire without proper authorization. Paid 20 October 2003.
Batorski, Slawomir	Edmonton	18-Nov-03 Penalty: $115.00	AEPEA(R) 182	Disposal of waste on another person's land without agreement. Paid 18 November 2003.
Calgary Powder Coatings Inc.	Calgary	19-Nov-03 Penalty: $115.00	AEPEA(R) 182	The Company disposed of waste, sandblast dust and powder coating dust, on another persons land without agreement. Paid 19 November 2003.
P.A. Singer Transport Ltd.	Calgary	19-Dec-03 Penalty: $115.00	AEPEA(R) 61	The Company burned prohibited debris, in particular an upholstered truck seat with wood and cardboard, in an open fire without an approval. Paid 19 December 2003.

Alberta
ENVIRONMENT

Enforcement Actions

1 October 2003 - 31 December 2003

Company/Individual	*Municipality/ LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Warning Letters				
BP Canada Energy Company	Clearwater County 1-11-35-6-5	06-Oct-03	AEPEA(R) 227(e)	The Company operates the North Caroline gas plant pursuant to an Approval. It contravened its Approval by failing to take a grab sample from the waterworks system for the 4th quarter of 2002.
Dire Resources Ltd.	Brazeau County 6-50-9-5	06-Oct-03	AEPEA(R) 112	The Company permitted hydrocarbon contaminated water to runoff its Battery lease site and onto adjacent Crown land via an open berm drain pipe, and it failed to take all reasonable measures to confine the effects of the substance as soon as it became aware of the release.
Norpoint Sandblasting and Painting Ltd.	Edmonton Plan 2069RS, Lot 1	09-Oct-03	AEPEA(R) 176	The Company disposed of waste, sandblast sand, without proper authorization.
Norpoint Sandblasting and Painting Ltd.	Edmonton Plan 2069RS, Lot 1	09-Oct-03	WA 36(1)	The Company graded waste sand over the bank of Mill Creek Ravine and deposited it onto the bed and shore.
EnerMark Inc.	Woodlands County 3-61-11-5	16-Oct-03	AEPEA(R) 227(e)	The Company operates the Carson Creek sour gas plant pursuant to an Approval. It contravened its Approval by submitting the 2002 Annual Summary and Evaluation report late; submitting the 2002 Annual Wastewater and Runoff report late; and late submission of the monthly air reports for December 2002 through April 2003.
Sturgeon County	Sturgeon County SW-6-57-20-4	16-Oct-03	WA 36	The County conducted an activity, in particular it acted to alter the level and flow of water in Redwater River when, without authorization it carried out construction of a works in an adjacent waterbody.

Alberta
ENVIRONMENT

Enforcement Actions

1 October 2003 - 31 December 2003

Warning Letters

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ATCO Power Canada Ltd.	MD of Greenview SW-6-69-21-5	27-Oct-03	AEPEA(R) 227(e)	The Company operates the Valleyview thermal electric power plant pursuant to an Approval. It contravened its Approval by failing to immediately report a contravention of the Approval.
Fiberex Glass Corporation	Leduc Plan 7920017, Block 1, Lot 1&3	27-Oct-03	AEPEA(R) 227(e)	The Company operates the Leduc glass manufacturing plant pursuant to an Approval. It contravened its Approval by submitting the 2001 and 2002 Annual Summary and Evaluation reports late. In addition, these approval contraventions were not immediately reported by telephone to Alberta Environment as is also required by the Approval.
NCE Petrofund Corp.	MD of Provost 12-40-4-4	29-Oct-03	AEPEA(R) 227(e)	The Company operates the Provost sour gas plant pursuant to an Approval. It contravened its Approval by submitting the monthly air reports late for December 2002 through August 2003. In addition, it failed to immediately report by telephone any contravention with the terms or conditions of the Approval.
Valley Spray Inc.	Lacombe County RR #3	29-Oct-03	AEPEA(R) 61	The Company provided a service involving the use and/or application of a pesticide for hire or reward, at numerous locations in and around Lacombe, Alberta without a pesticide service registration.
CCS Inc.	La Glace NE-15-73-9-6	31-Oct-03	AEPEA(R) 61	The Company constructed a compacted clay liner at the LaGlace Landfill without the appropriate approval.
Brock, Leon	Cowley Plan 884JK, Block 3	07-Nov-03	AEPEA(R) 61	Mr. Brock burned prohibited debris, fuel oil, without an approval.

Alberta
ENVIRONMENT

Enforcement Actions

1 October 2003 - 31 December 2003

Warning Letters

Company/Individual	Municipality/ LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Rocky Wood Preservers Ltd	Clearwater County NW-18-39-7-5	07-Nov-03	AEPEA(R) 227(e)	The Company operates the Rocky Mountain House wood treatment plant pursuant to an Approval. It contravened its Approval by submitting the 2002 Annual Industrial Runoff report late; submitting the First Soil Monitoring Proposal late; in addition, these approval contraventions were not immediately reported by telephone to Alberta Environment as is also required by the Approval.
Northern Sunrise County	Northern Sunrise County NW-6-82-21-5	13-Nov-03	AEPEA(R) 227(e)	The County operates the Marie Reine wastewater system pursuant to an Approval. It contravened its Approval by failing to contact Alberta Environment immediately after an unauthorized wastewater discharge.
Spirit River, Town of	MD of Spirit River SE-22-78-6-6	13-Nov-03	AEPEA(R) 227(e)	The Town operates the Spirit River waterworks system pursuant to an Approval. It contravened its Approval by failing to operate the waterworks system to comply with the required limits for treated water turbidity. Raw water turbidity was greater than 2.5 NTU, so treated water turbidity should not have exceeded 1.0 NTU, however treated water turbidity was 2.4 NTU.
Pro-Western Plastics Ltd.	St. Albert Plan 6814MC, Block A	14-Nov-03	AEPEA(R) 176	The Company unlawfully discharged hazardous waste into the environment, in particular, approximately 24 litres of a solvent identified as Varnblend Flint Ink U & V Wash was discharged into the local storm drainage system owned and maintained by the City of St. Albert.
Daether Maintenance Ltd.	Airdrie Plan 9910398, Block 1	19-Nov-03	AEPEA(R) A/R 43/97 3(3)	The Company applied a pesticide, Malathion, without the applicator having the appropriate class of applicator certificate.
Cold Lake, City of	MD of Bonnyville S-13-62-2-4	21-Nov-03	AEPEA(R) 110	The City failed to immediately report the release of wastewater from the wastewater distribution system. In addition, there is a contravention of Section 148 of the Environmental Protection and Enhancement Act by failing to immediately report a situation that caused or may have caused the potable water supplied by the potable water system to be unfit for consumptive used.

Alberta
ENVIRONMENT

Enforcement Actions

1 October 2003 - 31 December 2003

Company/Individual	*Municipality/ LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Warning Letters				
Plaquin Enterprises Ltd.	County of Wetaskiwin SW-10-46-6-5	24-Nov-03	AEPEA(R) 176	The Company unlawfully disposed of sewage waste.
Yanchuk, Beverly operating as Wind In the Willows Resort	County of Wetaskiwin SE-9-46-6-5	24-Nov-03	AEPEA(R) 176	Ms. Yanchuk unlawfully disposed of sewage waste.
Resorts of the Canadian Rockies Ltd.	MD of Rocky View Plan 8310059, Block A	02-Dec-03	AEPEA(R) 176	The Company disposed of liquid wastes, from equipment washing at the Wintergreen Golf Course, other than at an appropriate waste management facility.
B R 7 Ranch Ltd.	MD of Pincher Creek NE-1-8-2-5	03-Dec-03	WA 36(1)	The Company constructed a weir on Cow Creek on or about September 29, 2003 and removed that same weir on or about October 17, 2003 without the required approval.
Pisony, Roger	MD of Pincher Creek NE-1-8-2-5	03-Dec-03	WA 36(1)	Mr. Pisony constructed a weir on Cow Creek on or about September 29, 2003 and removed that same weir on or about October 17, 2003 without the required approval.
La Crete Sawmills Ltd.	La Crete NE-26-105-15-5	16-Dec-03	AEPEA(R) 67(1)(c)	The Company operates a facility for the processing of wood pursuant to an Approval. It constructed and operated a Pellet Plant and Biomass Burner without an Approval amendment. The operation of the Pellet Plant and Biomass Burner without approval amendment resulted in an unauthorized effluent stream being emitted to the atmosphere, which is a contravention of section 227(e) of the Environmental Protection and Enhancement Act. Further contraventions

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Warning Letters				
				under this section of the Act are that the company submitted the 2002 Annual Summary and Evaluation Report late, and it failed to immediately report the above-cited approval contraventions to Alberta Environment.
Owens Corning Canada Inc.	Edmonton SE-17-53-23-4	18-Dec-03	AEPEA(R) 227(e)	The Company operates the Edmonton insulation manufacturing plant pursuant to an Approval. It contravened its Approval with the discharge of the effluent stream to the atmosphere from a source not authorized by its Approval. In particular, the effluent stream from the W2 curing process was discharged through the old oven exhaust stack, which is not an authorized discharge point for this effluent stream. In addition, this approval contravention was not immediately reported by telephone to Alberta Environment as is also required by the Approval.